

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,
v.
WILLIAM EDWARD COOK,

Defendant.

NO. CR 06-15RSL

ORDER
CONTINUING TRIAL DATE

Based upon the reasons stated in the joint motion of the parties to continue the trial date, and upon a review of the records and files herein, this Court adopts the stipulation of the parties and FINDS and RULES as follows:

The parties have jointly moved for a continuance of the trial date, currently scheduled for July 24, 2006. As primary grounds therefore, the parties indicated that, due to a conflict of interest with prior counsel, on July 18, 2006, less than a week before the scheduled trial, new counsel, Thomas A. Cena, Jr., was appointed. Thus, a failure to grant a continuance would unreasonably deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv).

Moreover, the case is further complicated by additional uncharged robberies, as well as a pending Escape charge. The parties have indicated that the current trial date

1 of July 24, 2006, does not afford new counsel the time necessary to investigate the
2 current charge, the additional robberies, as well as to explore the ramifications of the
3 Escape charge and the commission of the current offense on defendant's prior
4 conviction.

5 The parties agree that the ends of justice served by granting this motion to
6 continue outweigh the best interest of the public and defendant in a speedy trial. The
7 parties also agree that the case is unusual because of the prior conviction, pending
8 Escape charge, and likely additional counts of bank robbery.

9 It therefore appearing to the Court that the failure to grant a continuance would
10 unreasonably deny counsel for the defendant the reasonable time necessary for effective
11 preparation, taking into account the exercise of due diligence, see 18 U.S.C. §
12 3161(h)(8)(B)(iv), and thus that the ends of justice served by granting the requested
13 continuance outweigh the interest of the public and the defendant in a speedy trial,

14 IT IS ORDERED that the trial date be continued from July 24, 2006, until
15 October 2, 2006. Within ten (10) days of this order, defense counsel will file a waiver
16 by defendant of his right to a speedy trial under the Sixth Amendment for this time
17 period.

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1 IT IS FURTHER ORDERED that the period of delay from the date of this
2 Order, until October 2, 2006, is excludable time pursuant to 18 U.S.C.
3 § 3161(h)(8)(A), for the purpose of computing the time limitations imposed by the
4 Speedy Trial Act.

5 DATED this 21st day of July, 2006.

6
7 s/Ricardo S. Martinez for
8 ROBERT S. LASNIK
9 UNITED STATES DISTRICT JUDGE

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11 Presented By:

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